

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FIRST CIRCUIT

CIVIL ACTION NO. 05-11053-NMG

JOSEPH DOCKHAM  
Petitioner

V.

MICHAEL CORSINI  
Respondent

AFFIDAVIT IN SUPPORT OF MOTION  
FOR ENLARGEMENT OF TIME TO RESPOND  
TO RESPONDENT'S MOTION TO DISMISS  
WITH PREJUDICE PETITIONER'S PETITION  
FOR WRIT OF HABEAS CORPUS

I, Joseph Dockham, do hereby depose and say:

1. That this motion is hereby filed by one who is not trained nor well versed in law, one who claims no education with regard to the knowledge of how these laws are applied to one convicted of crimes within this state.

2. That to the best of his knowledge would assert that given an enlargement of time he would attempt to educate himself in the area spoken of by the Respondent in his motion to show that he is in fact not time barred.

3. That along with his petition for Habeas Corpus he did file a motion to have counsel appointed because he was not well versed in law, and recognized the need for competent, knowledgeable and skilled counsel.

4. That the law library here is very small due to the size of the institution and that assistance with legal research is at most very limited.

5. That Federal law can be very complicated and given his very limited knowledge of the legal system it will take some time to locate and understand just what he is reading.

Affidavit in support of  
motion for enlargement of time  
to respond to respondent's  
motion to dismiss with  
prejudice cont:

5. That it will take some time to locate documents needed by petitioner to show that he is not time barred and that he in fact fits into that area as described by the Respondent as being "Excludable periods include "[t]he time during which a properly filed application for State post-conviction or other collateral review is pending... Id. (quoting 28 U.S.C. § 2244(d)(2))" (alterations in original)".

6. That facts will show that prior to the filing of the second Rule 30 he had no chance to offer his claim of ineffective assistance of counsel, that in fact this was part of the properly filed motion filed before the court on January 3rd 1996.

7. That upon appointment of counsel to represent him on his post-conviction relief Rule 30, effectively the clock had in fact stopped.

8. That the final action of the State court was the NOTICE OF FURTHER APPELLATE REVIEW DENIAL BY THE SUPREME JUDICIAL COURT ON JUNE 30th 2004.

THIS AFFIDAVIT DRAFTED THIS 28th DAY


OF June 2005

Signed under the pains and penalties of perjury.

By the Petitioner  
Joseph Dockham - Pro Se.  
Joseph Dockham W-43918  
Bay State Correctional Center  
P.O. Box 73 28 Clark St.  
Norfolk, MA 02056-0073

**Certificate of Service**

I, the Petitioner, Joseph Dockham, hereby certify that a true copy of the attached documents was served upon the Office of the Attorney General, Thomas F. Reilly, One Ashburton Place, Boston Massachusetts 02108-1598, by placing said documents in sealed, stamped and addressed envelope and hand delivering said envelope to assigned institutional mail Officer on June 28, 2005

  
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Joseph Dockham W-43918  
Bay State Correctional Center  
P.O. Box 73 28 Clark St.  
Norfolk, MA 02056-0073